

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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In re VEECO INSTRUMENTS, INC.	:	
SECURITIES LITIGATION	:	05-MD-1695 (CM) (GAY)
	:	
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DAVID ALTMAN, derivatively on behalf of	:	
VEECO INSTRUMENTS, INC.,	:	05-CV-10225 (CM) (GAY)
	:	
Plaintiff(s),	:	
	:	
vs.	:	
	:	
EDWARD H. BRAUN, et al.,	:	
	:	
Defendant(s),	:	
	:	
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AUGUST SCHUPP, III, derivatively on behalf of	:	
VEECO INSTRUMENTS, INC.,	:	05-CV-10226 (CM) (GAY)
	:	
Plaintiff(s),	:	
	:	
vs.	:	
	:	
EDWARD H. BRAUN, et al.,	:	
	:	
Defendant(s).	:	
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**DECLARATION OF ROBERT I. HARWOOD IN SUPPORT
OF DERIVATIVE PLAINTIFFS' REPLY MEMORANDUM IN
SUPPORT OF THEIR MOTION TO EXTEND DISCOVERY DEADLINE**

I, Robert I. Harwood, hereby declare and say:

1. I am a member of the firm of Harwood Feffer LLP, formerly known as Wechsler Harwood LLP. I submit this declaration in support of derivative plaintiffs' motion to extend the discovery cut-off date until April 30, 2007.

2. Annexed hereto as Exhibit A is a true and correct copy of a letter dated January 18, 2007 from defendants to counsel for securities plaintiffs' counsel.

Dated: January 22, 2007

/s/ Robert I. Harwood
Robert I. Harwood

EXHIBIT A

GIBSON, DUNN & CRUTCHER LLP
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VIA EMAIL

Phyllis M. Parker, Esq.
Berger & Montague, P.C.
1622 Locust Street
Philadelphia, Pennsylvania 19103-6305

Re: *In re Veeco Instruments Inc. Sec. Litig., 05 MD 1695 (CM)(GAY)*

Dear Phyllis:

Thank you for your letter dated January 15, 2007, concerning scheduling of depositions. We cannot agree to schedule the depositions of Msrs. Reifert, Kiernan, Rein and Braun on the dates you have requested. As you probably recall, back on December 4, 2006, we proposed the following deposition dates:

- Gary Reifert – December 14, 2006
- John Kiernan – January 12, 2007
- Jack Rein – January 31, 2007
- Ed Braun – February 2, 2007

Had you agreed to those dates when we proposed them, we would be on track to finish deposition discovery by February 2, 2007. Deposing four high-level executives of a public company – three of whom are finance employees – within the last seven work days of January obviously poses serious difficulties. As you can understand, late January and February is a particularly busy period for public companies like Veeco. Among other things, Veeco has an Audit Committee meeting scheduled for January 24, 2007, a full meeting of the Board the following day, and must complete work related to the close of Veeco's year-end books.

GIBSON, DUNN & CRUTCHER LLP

Phyllis M. Parker, Esq.
January 19, 2007
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In light of these imperatives, we propose a joint application to the Court to extend the discovery schedule through February 23, 2007, to complete these depositions. Assuming that motion is granted, we propose the following schedule, which preserves the order of witnesses that you proposed:

- Gary Reifert – January 30, 2007
- John Kiernan – February 2, 2007
- Jack Rein – February 12, 2007
- Ed Braun -- February 23, 2007

Please let me know if this proposed schedule is agreeable.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ross Wallin".

Ross Wallin

cc: Robert I. Harwood, Esq.
John A. Herfort, Esq.
Robert F. Serio, Esq.